





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

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ATLANTA, GEORGIA 30335  
(404) 330-6033  
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August 20, 2002

Monroe C. Hatcher, Jr.  
1176 Warfield St., NW  
Atlanta, GA 30318

02-R-1329

Dear Mr. Hatcher:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on August 19, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,  
*Rhonda Dauphin Johnson*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 01L0050

Date: July 16, 2002

Claimant /Victim MONROE C. HATCHER, JR.  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 1176 Warfield Street, NW, Atlanta, Georgia 30318  
Subrogation: \_\_\_\_\_ Claim for Property damage: \$ 275.00 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 1/17/01 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 10/31/00 Place: 1176 Warfield Street, NW  
Department \_\_\_\_\_ Division \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

**NATURE OF CLAIM:** Claimant sustained property damage from a sewer backup as a result of the installation of a gas line on Warfield Street, NW. An investigation determined that Atlanta Gas Light Company was responsible for the construction at this location. The claimant has been so advised and his claim has been forwarded to the gas company for resolution.

**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_


**BASIS OF RECOMMENDATION:**

Function: Governmental \_\_\_\_\_ Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 07-17-02  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

CONSENT I

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**08/19/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-1181
2. 02-O-1221
3. 02-O-1222
4. 02-O-1282
5. 02-O-1300
6. 02-O-1245
7. 02-O-1293
8. 02-O-1294
9. 02-O-1223
10. 02-O-1220
11. 02-O-1289
12. 02-O-1291
13. 02-O-1273
14. 02-O-1224
15. 02-O-1232
16. 02-O-1233
17. 02-O-1287
18. 02-R-1362
19. 02-R-1283
20. 02-R-1288
21. 02-R-1334
22. 02-R-1279
23. 02-R-1331
24. 02-R-1332
25. 02-R-1333
26. 02-R-1338
27. 02-R-1349
28. 02-R-1350
29. 02-R-1348
30. 02-R-1303
31. 02-R-1304
32. 02-R-1305
33. 02-R-1306

**ITEMS ADVERSE  
ON CONSENT AGENDA**

34. 02-R-1307
35. 02-R-1308
36. 02-R-1309
37. 02-R-1310
38. 02-R-1311
39. 02-R-1312
40. 02-R-1313
41. 02-R-1314
42. 02-R-1315
43. 02-R-1316
44. 02-R-1317
45. 02-R-1318
46. 02-R-1319
47. 02-R-1320
48. 02-R-1321
49. 02-R-1322
50. 02-R-1323
51. 02-R-1324
52. 02-R-1325
53. 02-R-1326
54. 02-R-1327
55. 02-R-1328
56. 02-R-1329
57. 02-R-1330

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1<sup>st</sup> Consent I Vote: 13Yeas; 0 Nays (See RCS #3910)  
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272